



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

MAR 24 2016

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Article No.: 7014 1200 0000 6124 2590

The Honorable Richard Eutsler
Mayor of Granby
302 North Main Street
P. O. Box 500
Granby, Missouri 64844

Re: Request for Information Pursuant to Section 308 of the Clean Water Act
(33 U.S.C. § 1318)

Response Required Within Fifteen (15) Days

Dear Mayor Eutsler:

On February 19, 2016, the U. S. Environmental Protection Agency received your Annual 503 Biosolids Report covering calendar year 2015. The EPA has completed its review of this report and its transmittal letter and the following violations of the City's NPDES Permit Number MO-0107581 and potential violations of Administrative Order for Compliance on Consent, Docket No. CWA-07-2015-0050 (AOC) were identified:

- Discharged 1,500 pounds of solids in the effluent in November 2015;
- Discharged 2,820 pounds of solids in the effluent in December 2015; and
- Land applied biosolids five times in January, two times in March, three times in April and 2 times in May 2015 when testing showed the applications did not comply with the Vector Attraction Reduction requirements of the Section 503 regulations.

On October 30, 2015, the EPA received the Compliance Plan with Update of 2014 Engineering Report submitted by the City as required by paragraph 46.a of the AOC. The EPA conditionally accepted the Compliance Plan by letter dated December 2, 2015. The City's response to the conditional acceptance letter was received by the EPA on January 25, 2016, and was determined to adequately address the conditions of acceptance. The response also identified the measures taken by the City to prevent recurrence of the solids discharge that occurred in November 2015.



Request for Information Pursuant to Section 308 of the Clean Water Act (33 U.S.C. § 1318)

This letter requests information regarding compliance of the City of Granby with requirements of the City's National Pollutant Discharge Elimination System Permit for its wastewater treatment plant. Specifically, the EPA is requesting the City provide information related to identification and correction of problems affecting the ability of the WWTP to consistently achieve its permitted effluent limits. The purpose of this request is to obtain additional information regarding the discharge of solids in the WWTP effluent in December 2015 and the City's land application of Biosolids that did not comply with the Vector Attraction Reduction requirements of the Section 503 regulations in four different months of 2015.

This letter and the enclosures are a request for information and are issued pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a). Section 308 authorizes, among other things, the EPA to require the City to furnish information necessary for the EPA to evaluate the City's compliance with the CWA and its NPDES permits. Pursuant to Section 308, you are requested to provide the information requested in the enclosed Information Request (Enclosure 1) through the dates specified in the Request. Please read the instructions in the enclosure carefully before preparing your response. Enclosure 2 is a Statement of Certification. The Certification must accompany your response.

If you have any questions or concerns regarding this matter, you may contact Wayne Dillard at (913) 551-7885 or dillard.wayne@epa.gov.

Sincerely,



Karen A. Flourney
Director

Water, Wetlands and Pesticides Division

Enclosures

1. Information Request
2. Statement of Certification

cc: Paul Dickerson, MDNR
Victor Coggin, City of Granby Wastewater Superintendent

ENCLOSURE 1

INFORMATION REQUEST

This information is requested pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318.

I. Instructions

A. Please provide a separate response to each and every request set forth below. Please label each response in a manner that identifies the number of the question or document request.

B. If any answer or document cannot be provided in full, provide the answer or document(s) to the extent possible along with an explanation of why the question cannot be answered or document cannot be provided in its entirety. If your responses are qualified in any manner, please explain.

C. If information or documents not known or not available to you as of the date of submission of your response to this request should later become known or available to you, you must supplement your response to the EPA within ten (10) business days of when the information or documents become known or available. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA of this fact immediately and provide a corrected response within ten (10) business days of when you find the information is false or misrepresents the truth.

D. The Statement of Certification found in Enclosure 2 must be submitted along with your responses every time a submission is made pursuant to this information request. This statement must be signed by a person authorized to sign reports pursuant to 40 C.F.R. § 122.22(b).

E. If you believe any of the requested information is confidential, you may assert a business confidentiality claim pursuant to the regulations set forth in 40 C.F.R. Part 2, Subpart B. Information requested by this letter, however, must be submitted to the EPA regardless of such a claim of confidentiality. If the EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in Subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, the EPA may make the information available to the public without further notice to you.

F. Compliance with the provisions of this request for information is mandatory. If you do not respond fully and truthfully to this Information Request or adequately justify your failure to do so you may be subject to civil penalties or criminal fines under Section 309 of the Act, 33 U.S.C. § 1319. Please be aware that the issuance of this letter and providing the requested information does not relieve you of any responsibility under the Act for seeking, maintaining, or complying with an applicable NPDES permit.

G. All information should be submitted electronically to dillard.wayne@epa.gov.

H. Information that cannot be submitted electronically shall be sent by U.S. mail to:

Wayne Dillard, P.E.
Environmental Engineer
U.S. Environmental Protection Agency Region 7
Water, Wetlands and Pesticides Division
11201 Renner Boulevard
Lenexa, Kansas 66219

II. Definitions

All terms used in this request, which are not defined below shall be defined in accordance with 33 U.S.C. § 1362 and 40 C.F.R. §122.2. Unless otherwise indicated, the following definitions shall apply strictly for the purposes of this request for information:

- A. "City" means the City of Granby, Missouri.
- B. "Compliance Plan" means the Compliance Plan with Update of 2014 Engineering Report on an Evaluation Study of Wastewater Treatment & Pumping Facilities at Granby, Missouri, dated October 2015.
- C. "MDNR" means the State of Missouri's Department of Natural Resources.
- D. "NPDES permit" or "permit" means Missouri Department of Natural Resources National Pollutant Discharge Elimination System (NPDES) Permit number MO-0107581, issued December 30, 2011 and expiring December 29, 2016.

III. Requested Information

Please submit your response within fifteen (15) days of receipt of this Information Request. Please clearly identify your responses with a numbering system corresponding to the items as listed below. *(See, Section I, Instructions.)*

Note that except for a cover letter or memorandum and the Statement of Certification, 1) only copies, and not original documents, should be submitted pursuant to this request, and 2) documents and data may be submitted on a compact disk in PDF, Word, Excel or other widely available electronic format, or electronically to dillard.wayne@epa.gov.

A. Preliminary Information

- 1. Identify the person to contact regarding your response, including title, address and phone number.
- 2. Your response to this Information Request is to be provided by a qualified professional. Provide the name and credentials of the person(s) providing information in response to this Information Request.

B. Information Regarding Wastewater Treatment System

3. The cause of the November 2015 discharge of solids through the WWTP effluent was previously identified by the City as operator error and measures to prevent its recurrence were identified. Please identify the specific cause(s) for the discharge of 2,820 pounds of solids through the WWTP effluent in December 2015, described in the Annual 503 Biosolids Report as "caused by rain events or mechanical problems."

4. Please provide a description of the measures the City has implemented or will implement to prevent recurrence of the discharge of solids through the WWTP effluent if the method(s) to address the cause(s) listed in your response to Item 3 above is(are) not described in the Compliance Plan.

5. On Page II-3 of the Compliance Plan alternative measures that must be carried out if the SOUR test is not met are identified. Please provide an explanation of why the alternative measures were not carried out prior to land application of Biosolids for which the SOUR test was not met.

6. Please provide a description of the measures the City has implemented, or will implement, to ensure Biosolids are not land applied until the appropriate Vector Attraction Reduction measures have been followed and meet the Section 503 requirements.

ENCLOSURE 2

STATEMENT OF CERTIFICATION

(To be submitted with every response to the Information Request)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations.

Signature

Date

Printed Name

Title

40 C.F.R. § 122.22(a). Signatories to permit applications and reports.

(1) **For a corporation.** By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: EPA does not require specific assignments or delegations of authority to responsible corporate officer identified in Sec. 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Sec. 122.22(a)(1)(ii) rather than to specific individuals.

(2) **For a partnership or sole proprietorship.** By a general partner or the proprietor, respectively; or

(3) **For a municipality, State, Federal, or other public agency.** By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).